THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.3380 OF 2007

ORAL ORDER:

The petitioner is working as Badli Coal Filler in the Singareni Collieries Company Limited. This writ petition is filed aggrieved by the action of the respondents in recovering penal rent at the rate of Rs.3,000/- per month from the salary of the petitioner for his alleged unauthorized occupation of Quarter No.T.32, Bharath Colony, Mandamarri.

Though the petitioner assailed the impugned order on various grounds, I am not inclined to express any opinion on merits, since, the petitioner is a 'workman' within the definition of Section 2(s) of the Industrial Disputes Act, 1947 and, consequently, it is open to him to seek reference of the dispute in question for adjudication by the Labour Court having jurisdiction. Without exhausting such an alternative statutory remedy, the petitioner cannot maintain this writ petition under Article 226 of the Constitution of India.

Accordingly granting leave and liberty to the petitioner to work out the appropriate remedy before the proper forum, the writ petition is disposed of. No costs.

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(G. ROHINI, J.)

23rd July, 2007.
Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.3380 OF 2007

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23rd July, 2007.

Between:

Kamera Shankar. .. Petitioner.

And

The Singareni Collieries Company Limited
(A Govt. of India Company), represented by its
General Manager, Mandamarri Area,
Bellampalli Mandal,
Adilabad District and others. .. Respondents.